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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,029	03/26/2004	Hans Gunter Felske	2003P00483 US	8410

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BSH HOME APPLIANCES CORPORATION
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EXAMINER

KUHN, MART K

ART UNIT	PAPER NUMBER
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3637

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/810,029

Applicant(s)

FELSKE ET AL.

Examiner

Mart K. Kuhn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 26 March 2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement filed 26 March 2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

3. The drawings are objected to under 37 CFR 1.84(m). Shading is encouraged only if it does not reduce legibility, and solid black shading is not permitted. Figures 1-4 each include areas of solid black and shading that hinders legibility.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claim 5 is objected to because of the following informalities: in line 3, "slotting-ling" should read "slotted-link". Appropriate correction is required.

Claim Rejections—35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 5–7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 5 recites the limitation "said slot" in line 2; similarly, claim 6 recites the limitation "said slots" in line 5. There is insufficient antecedent basis for these limitations in the claims.

8. Claim 6 recites the limitation "the attachment element" in line 4. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 7 recites the limitation "said head-type attachment" in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purposes of this examination, claim 7 is considered as depending from claim 5, which recites "a head-type attachment".

Claim Rejections—35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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11. Claims 1–6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funaki, US patent 4,423,608, in view of Wollar et al., US patent 4,610,587, and Hoyle et al., US patent 5,129,768. Funaki '608 discloses a household appliance (10) having a body (12) with a cabinet shape, and a work surface panel (78) attached to the body, the work surface panel having a rear surround (86) integrally formed thereon. Funaki '608 also teaches holes formed in the rear surround (Figure 2), but not an elongated hole, and not a holding pin with a slotted-link section. Wollar et al. '587 teach an attachment apparatus with a holding pin (20) for attaching a panel (16), such as a work surface panel, to a second panel (18), such as an appliance body; the holding pin having a slotted-link section (24) with a rectangular cross-section (column 5, lines 25–28) configured to pass through holes (12, 14) in the panels being attached. It would have been obvious, to one of ordinary skill in the art at the time the invention was made, to modify the appliance of Funaki by including a holding pin with a rectangular slotted-link section, as taught by Wollar et al. '587, for the purpose of releasably securing the work surface panel to the appliance body. Funaki and Wollar et al. '587 do not teach an elongated hole in the work surface panel. Hoyle et al. teach an attachment apparatus including a holding pin (10) with a slotted-link section (40), the holding pin securing panels (52, 34) together, a panel having an elongated hole (32) therein to allow the holding pin to shift to compensate for misalignment of the panels (column 1, lines 12–16). It would have been obvious, to one of ordinary skill in the art at the time the invention was made, to modify the appliance of Funaki '608, already modified by Wollar et al. '587, by including an elongated hole in the work surface panel, as taught by Hoyle et al. '768, for the purpose of enabling the holding pin to move laterally to absorb variations in the positions of the work surface panel and the appliance body.

Regarding claims 2–3, Funaki '608 does not teach a holding pin having a head-type attachment or an axial bore. However, Wollar et al. '587 teach a holding pin having a head-type attachment (26) and an axial bore (34) for receiving an attachment element (22). It would have been obvious, to one of ordinary skill in the art at the time the invention was made, to modify the appliance of Funaki '608, already modified as above, by including a head-type attachment and an axial bore in the holding pin, as taught by Wollar et al. '587, for the purpose of allowing the holding pin to rest against the surface of the work

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surface panel, and to be expanded by the insertion of an attachment element to hold the two panels together.

Regarding claims 4–5, Funaki '608 does not teach a holding pin having a shank forming a slotted dowel. Wollar et al. '587 teach a holding pin wherein a slot (30) extends from a head-type attachment (26) and through a slotted-link section (24) to form a slotted dowel or shank (defined by slot 30 and surfaces 62, 64), the slotted dowel entering an opening (14) and spreading therein (Figure 21), the dowel when spread having a wider diameter than that of the slotted-link section. It would have been obvious, to one of ordinary skill in the art at the time the invention was made, to modify the appliance of Funaki '608, already modified as above, by including a slotted dowel forming a continuation of the slotted-link section, as taught by Wollar et al. '587, for the purpose of allowing the slotted dowel to expand wider than the slotted-link section to secure the work surface panel to the appliance body.

Regarding claim 6, Funaki '608 does not teach a holding pin with ear-shaped lateral projections. Wollar et al. '587 teach a holding pin wherein the head-type attachment has a pair of ear-shaped lateral projections (60) with an internal separation (Figure 15) as large as the diameter of an attachment element (22), the slot of the holding pin extending as far as the lateral projections (Figure 18). It would have been obvious, to one of ordinary skill in the art at the time the invention was made, to modify the appliance of Funaki '608, already modified as above, by including ear-shaped lateral projections on the head-type attachment, as taught by Wollar et al. '587, for the purpose of providing bearing surfaces containing threads to engage an attachment element.

12. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funaki '608, Wollar et al. '587, and Hoyle et al. '768 as applied to claim 5 above, and further in view of Wollar, US patent 4,726,722. As noted above, Funaki '608, Wollar et al. '587, and Hoyle et al. '768 teach every element of the claimed invention, other than apertures formed in the head-type attachment. Wollar '722 teaches an attachment apparatus having a holding pin (12) which fastens a panel (16) to another panel (18), the holding pin having a head-type attachment (24) with ear-shaped lateral projections (50), a slotted-link section (58) with a slot (46) continuing to an adjoining shank or slotted dowel (28), and further having

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apertures (52) formed in the head-type attachment adjacent the slotted-link sections, allowing the slotted-link sections to be depressed as by a flat tool for the removal of the holding pin. It would have been obvious, to one of ordinary skill in the art at the time the invention was made, to modify the appliance of Funaki '608, already modified by Wollar et al. '587 and Hoyle et al. '768 as above, by including apertures in the head-type attachment, as taught by Wollar '722, for the purpose of facilitating the removal of the holding pin by allowing the slotted-link sections to be compressed.

Conclusion

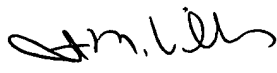
13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and is cited on form PTO-892 enclosed herewith.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mart K. Kuhn whose telephone number is (571) 272-8926. The examiner can normally be reached on M-F, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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3/26/07


JANET M. WILKENS
PRIMARY EXAMINER
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